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Gilbert F. Casellas, James G. Cullen, William H. Gray III,  
Jon F. Hanson, Constance J. Horner, Karl J. Krapek,  
and James A. Unruh*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

KAREN M. BAUER, Individually and	)	
on Behalf of All Others Similarly Situated,	)	Civil Action No. 09-01120 (JLL)
	)	
Plaintiff,	)	CONSOLIDATED ACTION
v.	)	
	)	Honorable Jose L. Linares
PRUDENTIAL FINANCIAL, INC., et al.,	)	
	)	Return Date: January 19, 2010
Defendants.	)	
	)	Oral Argument Requested

**NOTICE OF THE PRUDENTIAL DEFENDANTS' MOTION TO DISMISS  
THE CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

**PLEASE TAKE NOTICE** that on January 19, 2010,<sup>1</sup> or at such time as may be designated by the Court, Defendants Prudential Financial, Inc., Arthur F. Ryan, Richard J. Carbone, Peter B. Sayre, Dennis G. Sullivan, Frederic K. Becker, Gordon M. Bethune, Gaston Caperton, Gilbert F. Casellas, James G. Cullen, William H. Gray III, Jon F. Hanson, Constance J. Horner, Karl J. Krapek, and James A. Unruh (the “Individual Defendants”) (collectively, the “Prudential Defendants”) shall move the Court at the Martin Luther King, Jr., Federal Building & United States Courthouse, 50 Walnut Street, Newark, New Jersey, pursuant to Rule 12(b)(6) and Rule 9(b) of the Federal Rules of Civil Procedure to dismiss the Consolidated Amended Class Action Complaint in this matter.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Prudential Defendants will rely upon the accompanying Memorandum of Law and Declaration of Katherine G. McKenney and exhibits thereto in support of the motion. A Proposed Order is also being submitted with this motion.

**PLEASE TAKE FURTHER NOTICE** that Prudential Defendants request oral argument on this motion if opposition is timely filed.

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<sup>1</sup> On April 13, 2009, the Court entered an Order approving the parties’ Stipulation Extending Time to Respond to the Complaint. *See* Docket Entry No. 16. Pursuant to the Stipulation, Defendants’ reply to any opposition filed by Plaintiffs would be due on or about January 4, 2010.

Dated: September 21, 2009

Respectfully submitted,

/s/ Liza M. Walsh

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